

AMENDED IN SENATE APRIL 23, 2013

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 196

Introduced by Senator Cannella

February 7, 2013

An act to amend Section 798.40 of the Civil Code and to amend Section 739.5 of the Public Utilities Code, relating to utility rates.

LEGISLATIVE COUNSEL'S DIGEST

SB 196, as amended, Cannella. Utility rates: mobilehomes and apartment buildings.

Existing law requires a master-meter customer in a mobilehome park or apartment building, among other duties, to post in a conspicuous place, the prevailing residential utilities rate schedule as published by the serving utility.

This bill would authorize a master-meter customer in a mobilehome park, apartment building, or similar residential complex, as specified, to also post the Internet Web site address where that utilities rate information is posted *may be accessed if it also provides a copy of the schedule, upon request, at no cost, and states in the posting that an individual user may request a copy of the rate schedule from the master-meter customer.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.40 of the Civil Code is amended to
2 read:

1 798.40. (a) Where the management provides both master-meter
2 and submeter service of utilities to a homeowner, for each billing
3 period the cost of the charges for the period shall be separately
4 stated along with the opening and closing readings for his or her
5 meter. The management shall post in a conspicuous place, the
6 prevailing residential utilities rate schedule as published by the
7 ~~serving utility or the Internet Web site address where the~~
8 ~~information is posted~~ *serving utility or the Internet Web site*
9 *address where the homeowner may access the schedule. If the*
10 *management elects to post the Internet Web site address where*
11 *the schedule may be accessed, the management shall also: (1)*
12 *provide a copy of the prevailing residential utilities rate schedule,*
13 *upon request, at no cost; and (2) state in the posting that a*
14 *homeowner may request a copy of the rate schedule from*
15 *management.*

16 (b) If a third-party billing agent or company prepares utility
17 billing for the park, the management shall disclose on each
18 resident's billing, the name, address, and telephone number of the
19 billing agent or company.

20 SEC. 2. Section 739.5 of the Public Utilities Code is amended
21 to read:

22 739.5. (a) The commission shall require that, whenever gas
23 or electric service, or both, is provided by a master-meter customer
24 to users who are tenants of a mobilehome park, apartment building,
25 or similar residential complex, the master-meter customer shall
26 charge each user of the service at the same rate that would be
27 applicable if the user were receiving gas or electricity, or both,
28 directly from the gas or electrical corporation. The commission
29 shall require the corporation furnishing service to the master-meter
30 customer to establish uniform rates for master-meter service at a
31 level that will provide a sufficient differential to cover the
32 reasonable average costs to master-meter customers of providing
33 submeter service, except that these costs shall not exceed the
34 average cost that the corporation would have incurred in providing
35 comparable services directly to the users of the service.

36 (b) Every master-meter customer of a gas or electrical
37 corporation subject to subdivision (a) who, on or after January 1,
38 1978, receives any rebate from the corporation shall distribute to,
39 or credit to the account of, each current user served by the
40 master-meter customer that portion of the rebate which the amount

1 of gas or electricity, or both, consumed by the user during the last
2 billing period bears to the total amount furnished by the corporation
3 to the master-meter customer during that period.

4 (c) An electrical or gas corporation furnishing service to a
5 master-meter customer shall furnish to each user of the service
6 within a submetered system every public safety customer service
7 which it provides beyond the meter to its other residential
8 customers. The corporation shall furnish a list of those services to
9 the master-meter customer who shall post the list in a conspicuous
10 place accessible to all users. Every corporation shall provide these
11 public safety customer services to each user of electrical or gas
12 service under a submetered system without additional charge unless
13 the corporation has included the average cost of these services in
14 the rate differential provided to the master-meter customer on
15 January 1, 1984, in which case the commission shall deduct the
16 average cost of providing these public safety customer services
17 when approving rate differentials for master-meter customers.

18 (d) Every master-meter customer is responsible for maintenance
19 and repair of its submeter facilities beyond the master-meter, and
20 nothing in this section requires an electrical or gas corporation to
21 make repairs to or perform maintenance on the submeter system.

22 (e) Every master-meter customer shall provide an itemized
23 billing of charges for electricity or gas, or both, to each individual
24 user generally in accordance with the form and content of bills of
25 the corporation to its residential customers, including, but not
26 limited to, the opening and closing readings for the meter, and the
27 identification of all rates and quantities attributable to each block
28 in the applicable rate structure. The master-meter customer shall
29 also post, in a conspicuous place, the applicable prevailing
30 residential gas or electrical rate schedule, as published by the
31 corporation, or the Internet Web site address where the corporation
32 posts that information corporation, or the corporation's Internet
33 Web site address where the individual user may access the
34 schedule. If the master-meter customer elects to post the Internet
35 Web site address where the schedule may be accessed, the
36 master-meter customer shall also: (1) provide a copy of the
37 prevailing residential gas or electrical rate schedule, upon request,
38 at no cost; and (2) state in the posting that an individual user may
39 request a copy of the rate schedule from the master-meter
40 customer.

1 (f) The commission shall require that every electrical and gas
2 corporation shall notify each master-meter customer of its
3 responsibilities to its users under this section.

4 (g) The commission shall accept and respond to complaints
5 concerning the requirements of this section through the consumer
6 affairs branch, in addition to any other staff that the commission
7 deems necessary to assist the complainant. In responding to the
8 complaint, the commission shall consider the role that the office
9 of the county sealer in the complainant's county of residence may
10 have in helping to resolve the complaint and, where appropriate,
11 coordinate with that office.

12 (h) Notwithstanding any other provision of law or decision of
13 the commission, the commission shall not deny eligibility for the
14 California Alternative Rates for Energy (CARE) program, created
15 pursuant to Section 739.1, for a residential user of gas or electric
16 service who is a submetered resident or tenant served by a
17 master-meter customer on the basis that some residential units in
18 the master-meter customer's mobilehome park, apartment building,
19 or similar residential complex do not receive gas or electric service
20 through a submetered system.

21 (i) For purposes of this section, "rebate" does not include the
22 award of a monetary incentive under the California Solar Initiative
23 adopted by the Public Utilities Commission in Decision 05-12-044
24 and Decision 06-01-024, as modified by Article 1 (commencing
25 with Section 2851) of Chapter 9 of Part 2, for a solar energy system
26 that provides electrical generation to a mobilehome park.